

#4



COPY OF PAPERS
ORIGINALLY FILED

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Kuslich et al
Application No.: 10/050799
Filed: January 16, 2002
For: CENTRALIZED PRESSURE SYSTEM
FOR PREVENTING THROMBOSIS
Examiner:
Group Art Unit: 3764

Commissioner for Patent
Washington, D.C. 20231

Docket No.: S85.2-9923

INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached Form PTO-1449 and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, **Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.**

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

Information Disclosure Statement

Application No. 10/050799

Page 2

Applications that are listed on the accompanying modified form 1449 as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the 1449 and/or 892 forms from these cases.

I. This statement qualifies as a no-fee Information Disclosure Statement under 37 C.F.R. §1.97(b) or otherwise because to the knowledge of the undersigned attorney it is being filed (check all that apply):

- (1) within 3 months of the filing date of the application (other than a CPA); or
- (2) within 3 months of entry of the national stage; or
- (3) before the mailing of a first Office Action on the merits;
- (4) before the mailing of a first Office Action after the filing of a request for continued examination (RCE) under §1.114;
- (5) as part of a continued prosecution application (CPA); or
- (6) during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).

II. This statement is believed to require a fee or the submission of a certification under 37 C.F.R. §1.97 (c) or otherwise. If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application (other than CPA); (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; (3) the mailing of a first Office Action on the merits; (4) the mailing of a first Office Action after the filing of a request for continued examination under §1.114; or (5) after the filing of a request for a continued prosecution application, but before the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311 or an action that otherwise closes prosecution in the application, then:

- (1) a certification as specified in §1.97(e) is provided below; or
- (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or

Information Disclosure Statement

Application No. 10/050799

Page 3

included with the payment of other papers filed together with this statement.

III. *37 C.F.R. §1.97(d).* If this statement is being filed after the mailing date of the earlier of a final office action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, but before payment of the issue fee, then:

- (1) a certification as specified in §1.97(e) is completed below; and
- (2) a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with payment of other papers filed together with this statement.

X *IV. Fee Authorization.* If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

If paragraph II.1 or III is checked, also check one of the paragraphs below

 I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the date of the filing of this information disclosure statement.

 I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

For the purpose of this certification, Applicant considers the PCT International Search Authority

**Information Disclosure Statement
Application No. 10/050799
Page 4**

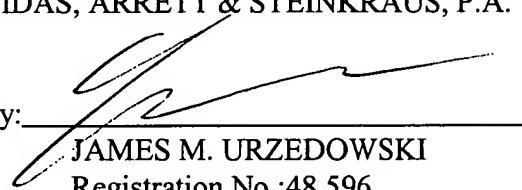
to constitute a foreign patent office.

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Date: April 16 2002

By: 

JAMES M. URZEDOWSKI
Registration No.:48,596

Suite 2000
6109 Blue Circle Drive
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001
F:\WPWORK\JMU\9923-IDS.411

**COPY OF PAPERS
ORIGINALLY FILED**

APR 2 2 2002
C182
PATENT & TRADEMARK OFFICE

FORM PTO-1449 (Modified) LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		ATTY DOCKET NO.:S85.2-9923		APPLICATION NO.: 10/050799		
		APPLICANT:S. KUSLICH ET AL				
		FILING DATE:16 JANUARY 2002		GROUP: 3764		
REFERENCE DESIGNATION		U.S. PATENT AND PUBLISHED APPLICATION DOCUMENTS				
EXAM'S INIT.	DOCUMENT NUMBER	DATE	NAME		CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE
AA	4029087	6/14/77	Dye et al		128/24	
AB	4013069	3/22/77	Hasty		128/24	
AC	6007559	12/28/99	Arkans		606/201	
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						
AL						
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY			
BA						
BB						
BC						
BD						
BE						
OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
	CA					
	CB					
	CC					
EXAMINER		DATE CONSIDERED				
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						

Modified Form 1449 UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY (COPIES ENCLOSED)	ATTY DOCKET NO.:S85.2-9927	APPLICATION NO. 10/050799
	APPLICANT: S. Kuslich et al	APR 22 2002 C182 PATENT & TRADEMARK OFFICE
	FILING DATE: 16 January 2002	COPY OF PAPERS ORIGINALLY FILED GROUP: 2764

UNPUBLISHED US APPLICATIONS NOT RELATED BY PRIORITY

EXAM'S INIT	APPLICATION NO.	FILING DATE	INVENTOR(S)
DA			
DB			
DC			
DD			
DE			
DF			
EXAMINER		DATE CONSIDERED	

EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Modified Form 1449 US APPLICATIONS RELATED BY PRIORITY (COPIES NOT ENCLOSED)	ATTY DOCKET NO.:	APPLICATION NO.			
	APPLICANT:				
	FILING DATE:	GROUP:			
US APPLICATIONS RELATED BY PRIORITY					
EXAM'S INIT	APPLICATION NO.	FILING DATE	PATENT NO.	INVENTOR(S)	FORM 1449/892 ENC
EA	60/262,048	1/16/01		Kuslich et al	
EB					
EC					
ED					
EE					
EF					
EG					
EXAMINER		DATE CONSIDERED			

EXAMINER: Initial if application considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.